

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Ashkenazi et al. Serial No.: 09/096,500 Filed: June 12, 1998 For: Apo-2 DcR</p>	<p>Group Art Unit: 1646 Examiner: C. Kaufman</p> <p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on October 15, 1999 <i>Diane L. Marschang</i> Diane L. Marschang</p>
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RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This paper is being filed in response to the Office Action mailed July 16, 1999, setting forth the Examiner's restriction requirement under Section 121. Applicants' election is set forth below, along with a preliminary amendment. Entry of the amendment is respectfully requested prior to examination on the merits.

IN THE CLAIMS:

Please cancel claims 1-14, 35-49, and 53-54 without prejudice.

15. (Amended) An isolated antibody which binds to [the Apo-2DcR polypeptide of claim 1] a polypeptide having about 95% amino acid sequence identity with the Apo-2DcR polypeptide comprising amino acid residues 1 to 259 of Figure 1A (SEQ ID NO:1) or [the extracellular domain sequence of claim 5] an extracellular domain of an Apo-2DcR polypeptide comprising amino acid residues 1 to X, wherein X is any one of amino acid residues 161 to 236 of Figure 1A (SEQ ID NO:1).

22. (Amended) The antibody of claim 16 having the biological characteristics of the 4G3.9.9 monoclonal antibody produced by the hybridoma cell line deposited as ATCC accession number